

Minutes
Catawba County Board of Commissioners
Regular Session, Monday, November 3, 2003, 9:30 a.m.

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The Catawba County Board of Commissioners met in regular session on Monday, November 3, 2003, 9:30 a.m., at the Hickory Metro Higher Education Center (HMHEC), Catawba Valley Community College East Campus, located at 2550 Highway 70 SE, Hickory, North Carolina. This move began the plan to hold some meetings in various locations around the County through 2004.

Present were Chair Katherine W. Barnes, Vice-Chairman Dan A. Hunsucker, Commissioners Glenn E. Barger, Barbara G. Beatty, and Lynn M. Lail.

Absent: N/A

A quorum was present.

Also present were County Manager/Deputy Clerk J. Thomas Lundy, Assistant County Manager Mick W. Berry, County Attorney Robert Oren Eades, Staff Attorney Debra Bechtel, and County Clerk Thelda B. Rhoney.

1. Chair Barnes called the meeting to order at 9:30 a.m.
 - a. Dr. Jane Everson, Director, Hickory Metro Higher Education Center welcomed everyone to the Hickory Metro Higher Education Center.
2. Chair Barnes led in the Pledge of Allegiance to the Flag.
2. Invocation offered by Commissioner Barger.
3. Commissioner Hunsucker made a motion to approve the minutes from the regular session of Monday, October 20, 2003. The motion carried unanimously.
4. Recognition of Special Guests:
 - a. Rock Barn Golf & Spa.

Chair Barnes recognized the following from Rock Barn Golf & Spa: Don Beaver, CEO; John Hemmings, President; Jim Correll, Executive Tournament Director; Youssef Amrani, General Manager; and Lenny Francoeur, Tournament Director.

Chair Barnes thanked Don Beaver and the Rock Barn Management Team for the economic impact to Catawba County and she thanked the many volunteers. She presented the Management Team with a Certificate of Commendation that read:

"With sincere appreciation and admiration, this certificate recognizes the outstanding performance of the Rock Barn Golf & Spa Management Team. This certification commends the Management Team for its vision, exemplary leadership and management involved with The Greater Hickory Classic PGA Champions Tour event, and the development of one of the state's most outstanding facilities. The Greater Hickory Classic will continue to contribute to the quality of life for the citizens of Catawba County to enjoy and benefit from for years to come."

The Board also proclaimed November 3, 2003, as Don Beaver Day in Catawba County and Chair Barnes presented Mr. Beaver with a proclamation.

Mr. Beaver thanked the Board for the Proclamation. He thanked the community leaders, sponsors, volunteers (over 1,000) for the success of the Tournament.

- b. County Manager J. Thomas Lundy said Catawba County is involved in a two-year technical assistance program with the City of Tirana, capital of Albania. Mr. Lundy said the project started in February 2002 and will conclude in the late Spring of 2004. He reviewed the five areas the County is providing assistance. He said there are seven visits and County staff will visit Tirana in February of 2004. He introduced Tirana Team Members Dritan Argoli, General Directorate of Public Work and Pranvera Zhaka, Director of Business Activity Licensing.
 - a. Staff Attorney Debra Bechtel introduced Kyle Eaker, a senior from Fred T. Foard High School who was

serving as an intern in the DA's Office.

c. Recognition of Mini Course Graduates.

Personnel Director Debbie L. Bradley said there were 12 Mini-course graduates. The program began in the mid 80s. County employees volunteered to participate on their lunch hour at various locations. The purpose of the course is to introduce employees to the services each County department provides. The graduates will also be honored at a luncheon on Wednesday, November 12, 2003, at the Catawba Country Club. She recognized the following: Judy Bonds, Mental Health; Patricia Holcombe, Social Services; Jeanne Jarrett, Finance; Alice Keenan, Library; Valerie Lindemann, Social Services; Michelle Moerk, Social Services; Wanda Morrison, Social Services; Araira Propst, Mental Health; Margaret Rathbone, Social Services; Betty Shuman, Mental Health; Beth Smith, Social Services; and Debra Wilson, Tax.

5. Public Comment for items not on the agenda. None.

6. Presentations:

a. The Board proclaimed November 21-27, 2003, as Farm-City Week and Commissioner Hunsucker presented the Proclamation to Vicky Collins, Chairperson of the 2003 Farm-City Week Committee and Fred Miller, Cooperative Extension Director.

Ms. Collins said they would have a banquet on November 25, 2003, and they were planning a state/legislative tour of farms in Catawba County.

Mr. Miller said Mr. Al Younts would be the banquet speaker and they would also have a silent auction which benefits the North Carolina Agriculture Extension Foundation which benefits youth programs in Catawba County.

b. Hickory Metro Higher Education Center (HMHEC) Report.

HMHEC Director Jane Everson said they are required to submit biannual reports. She said they had accomplished five major goals.

Summary of progress and accomplishments – May – October 2003

-Business plan

-Establishment of a 27 member Advisory Council which convened on July 24, 2003

-Board and Staff retreat on August 11 and 12, 2003

-Opening Facility on September 23, 2003

-Additional Partners to the HMHEC - NC State University Computer Training Unit and University of North Carolina - Charlotte

HMHEC Goals

1. Community needs
2. Funding
3. Collaboration
4. Enrollment
5. Technology and Innovation
6. Facility

Chair Barnes thanked Dr. Everson for the report.

c. Update on Local Business Plan for Mental Health Reform.

Mental Health Director John M. Hardy gave an update on the efforts to effectively implement Mental Health Reform. During this entire process there has been a proper focus on making decisions that will minimally disrupt clients and assure that appropriate systems of care are in place for those with the greatest needs. It has been important to design an approach that satisfies all the basic tenets of the Mental Health Reform legislation, while not creating a fragmented approach to service delivery, and to not ignore what has been created over time. His presentation outlined how staff plans to formally launch a divestiture of direct services and the operation of a Local Managing Entity on July 1, 2004.

He presented an outline of what is proposed. Finalizing all of the plans would be fully contingent upon having adequate information from the State to make effective judgments. It appears that financial information will be forthcoming by January 1, 2004.

Mr. Hardy offered the following PowerPoint presentation:

Catawba County moves forward with MH Reform

How will MH service delivery be changed?

MHSCC Goals for Reform

- Seamless transition of services for consumers
- Assure effective systems of care
- Limited disruption for staff
- Delivery of quality services
- Comply with the tenets of MH Reform legislation

Mental Health Services of Catawba County – Divestiture Plan
Local Managing Entity (LME)

- Family N.E.T
- Catawba Valley Behavioral Health Care
- Qualified Provider Network

Local Managing Entity (LME)

-Mental Health Services of Catawba County will become a Local Managing Entity (LME), an organization responsible for access, referrals, guardianship, CAP case management, billing, emergency services and authorizations. It is also responsible for monitoring service providers. The LME will have an estimated 50 Catawba County employees.

Family N.E.T. Nurturing, Educating and Treating

-Service unit developed in conjunction with Social Services for delivery of services to families and children. An estimated 55MH staff will become Social Services staff. Services to include: ACT Program, Family and Children therapy and case management, Juvenile Court services, Adolescent and Women's Substance Abuse Services, Smart Start, DHR teams, Intensive Family Preservation, Post-Adoption

Catawba Valley Behavioral Healthcare

- Catawba Valley Behavioral Healthcare, a non-profit, will provide services for high-risk adults dealing with mental illness, developmental disabilities or dual diagnosis. An estimated 80 current county employees will transition to this new entity.
- Services offered will include residential, LifeSkills, Connections, psychiatric services, ACT Team, SPMI and DD case management and evaluations.

Qualified Provider Network

- Service providers in the community for routine and specialty services will be contracted with to provide services including:
 - Adult substance abuse including court related services, child residential, Detox, outpatient counseling, specialized treatment, sheltered workshop, half-way houses, and inpatient services

Recommendation for County Share, Fund Balance and Capital assets

- Assuming full funding of the LME by the State, staff recommended that the County share funds be used at the discretion of the LME for the purchase of services as needed.
- Fund balance to be used to provide bridge funding for a 2year transitional period for non-profit agencies or county programs.
- Allow non-profit groups to use vans and buildings in a lease arrangement with the county for a

nominal cost during transition period

Still to be determined

- The exact number of employees transitioning from county employment
- Transitioning issues including: Employee benefits and Retirement

Timeframes

- October 14 – Hosted a stakeholders luncheon to provide information on changes coming
- October 15 – Hosted provider meeting to inform providers of services to be divested
- November 12 – Release of RFP for Substance Abuse Services
- April 2004 – End Employee Assistance Program (EAP) contracts
- July 2004 – Certification as an LME
- July 2004 – Family N.E.T, Catawba Valley Behavioral Healthcare and the LME become operational

After a lengthy discussion, the Board thanked Mr. Hardy for the presentation.

7. Appointments:

Commissioner Hunsucker made a motion to approve the following appointments. The motion carried unanimously.

Catawba Valley Medical Center Board of Trustees

Clement Geitner and Jearld Lee Leonhardt were appointed for second, four-year terms. The terms will expire December 31, 2007.

Juvenile Crime Prevention Council

Oliver Noble was appointed as a representative in the Business Community to fill the unexpired term of Charles Adair. The term expires June 30, 2005

Region E Development Corporation

Joseph F. Beaman, Jr., Financial Institution Representative, was appointed for a fourth term; Scott Millar, Local Government Representative, was appointed for a third term; and Joe S. Tripp, Financial Institution Representative, was appointed for a third term. The three-year terms will expire September 30, 2006.

8. Consent agenda:

County Manager J. Thomas Lundy presented the following consent agenda items:

a. Refund Request.

One refund request in the amount of \$24.34 was made to the Tax Office. The records were checked and the refund verified. According to General Statute 105-381, a Taxpayer who has paid his taxes may request a refund (in writing) for the amount that was paid through error.

Refund Request - November, 2003

Interpath Communications, Inc., d/b/a USi, Attn: Christopher M. Huntley, Interim Tax Manager, One Usi Plaza, 2500 Riva Rd, Annapolis, MD 21401-7478, Account No. 152135

The company's computer equipment was listed for 2003 taxes. The value of this equipment was reduced by 50 percent because it was idle on January 1, 2003. (It was either disposed of or sold for scrap after January 1, 2003). The value of 10,140 was reduced to 5,070, but since the 2003 tax bill was already paid, a refund is requested for the over-payment amount.

<u>Year</u>	<u>Value</u>	<u>Rate</u>	<u>Tax</u>	<u>Total</u>
2003	5,070	.48	24.34	\$24.34 *

* This is in the City of Hickory.

b. State Criminal Alien Assistance Program (SCAAP).

SCAAP is a formula based grant program that provides agencies with reimbursement for some of the costs associated with housing potential undocumented criminal aliens in local jail facilities. These

grant funds are based on individuals held in the Newton Detention Center and those held for Catawba County at the Burke Catawba District Confinement Facility during fiscal year 2001/2002. Funds under this program can be used for virtually any purpose to help support local jail facilities. With the increase in inmates housed at the Newton Detention Center over the past several years, greater demand has been placed on the nurse and doctor for medical treatment at the facility. Another problem is the growing amount of paperwork that is generated with each inmate visit to the doctor or nurse, decreasing the amount of time available for medical care. Having a contract for medical services in the facility is extremely helpful in decreasing the costs associated with removing inmates from the facility for medical care unnecessarily such as transportation, officer time, emergency room costs, etc. The contracted physician Dr. Piland, requested an increase in the number of contracted hours to the facility when the contract was renewed in July based on the increased inmate population and the time demands placed on the medical staff. Since this request occurred after the budget was completed and staff recommended that additional hours are needed in the jail for medical care. The Sheriff's Office would like to use these funds to increase the amount of nursing time devoted to the facility. Nursing hours would be increased between 5 to 8 hours per week depending on the specific needs each week. Staff's intent is to work closely with the medical staff over the next few months to see if the additional hours are beneficial to the medical program and what the ideal number of hours per week would be for medical services. Based on this experience any needed increase in the funding for the medical contract would be requested during the upcoming budget process. The Finance and Personnel Subcommittee recommended that the Board of Commissioners accept a grant from the US Department of Justice, State Criminal Alien Assistance Program (SCAAP) in the amount of \$5,315 along with its required certifications and assurances.

SUPPLEMENTAL APPROPRIATION:

<u>Revenue</u>	
110-220050-620385	\$5,315
State Criminal Alien Assistance Program (SCAAP)	
<u>Appropriation:</u>	
110-220050-856300	\$5,315
Medical Services	

c. COPs Homeland Security Overtime Program (HSOP).

The Sheriff's Office applied for and received a grant in the amount of \$56,915 to fund overtime and FICA costs associated with conducting Homeland Security/Proactive Community Enforcement (P.A.C.E) efforts as follows:

1. Devote approximately 12 hours per week to increase officer presence in areas experiencing high rates of crime, particularly drug-related. This usage may be increased depending on the success of the program and the needs of the community. Officers will spend time not only patrolling the area but actively engaging citizens to increase the law enforcement presence in the community and encourage citizens to share information on criminal activity as well as potential homeland security concerns. Particular emphasis will be placed on minority communities such as Hispanic and Hmong whose citizens tend to be untrusting of law enforcement.
2. Assign officers to work overtime in connection with potential terrorist targets including but not limited to the county fair, local festivals, sporting events such as the recent Greater Hickory Classic at Rock Barn, public buildings, and major public utilities such as Marshall Steam Station commensurate the Threat Advisory Level.
3. Develop and deliver presentations to community groups such as Community Watches, Church groups, Civic Organizations, etc. on things to be aware of in their communities with respect to potential terrorist and other criminal activity.
4. Develop and deliver in-service training to officers on a variety of topics relating to Homeland Security ranging from recognizing potential terrorist activity to conducting drills with other public safety groups to respond to a terrorist attack.

This grant will enable the Sheriff's Office to devote officer hours to Homeland Security training, community presentations and proactive community enforcement (P.A.C.E.) efforts that would otherwise be unaffordable. Specifically, the program has the following goals:

1. Improve communication between the Sheriff's Office and the communities we serve using Community Policing strategies to instill trust and identify needs within individual communities.
2. Decrease overall crime and potential homeland security threats in P.A.C.E. targeted areas.
3. Improve officer readiness to identify potential homeland security threats and respond cooperatively with other public safety agencies to catastrophic events.
4. Increase public awareness of potential homeland security threats, how to notify law enforcement of potential threats and/or criminal activity, and how to protect their persons and property.
5. Improve security at public events and major infrastructure particularly during times when the Threat Advisory Level is elevated.

The Finance and Personnel Subcommittee recommended that the Board of Commissioners accept a Homeland Security Overtime Program grant from the US Department of Justice, COPs Office along with its certifications and assurances. The grant will fund 75 percent of the overtime and FICA costs associated with the above efforts up to a total federal cost of \$56,915. The county is required to provide a 25% cash match to the federal funds expensed along with the cost of law enforcement retirement associated with the effort totaling up to \$25,654. The Sheriff's Office proposes to fund these local expenses from the Narcotics Seized Funds account.

SUPPLEMENTAL APPROPRIATION:

Revenue

110-210050-620395	\$56,915
Homeland Security OT Program	
110-210050-650362	\$25,654
Homeland Security OT Program Grant Match	
205-210250-690100	\$25,654
Fund Balance Applied	

Appropriation:

110-210050-812210	\$70,493
Homeland Security OT Program	
110-210050-821100	\$5,393
FICA	
110-210050-822200	\$6,683
Law Enforcement Retirement	
205-210250-849177	\$25,654
Homeland Security OT Program Grant Match	

- d. Mental Health Budget Revision.

Additional State grant dollars have been awarded for two grants: Smart Start and Governor's Crime Commission. Changes are being requested to incorporate additional State funding allocations for Development Disability (DD) Diversion Funds.

Adjustments include the following:

STATE GRANT DOLLARS \$ 46,807

Additional State dollars in the amount of \$ 46,807 to fund two grants: Smart Start (\$20,558) and Governor's Crime Commission (\$26,249). The Smart Start Grant will increase a Mental Health Clinician II position from half time to full-time and provide some additional associated operational expense funding. A grant from the Governor's Crime Commission has been awarded to replace Fund Balance that was being used to provide funding for expenditures for outpatient treatments for clients that come through the Drug Treatment Courts.

ADDITIONAL STATE ALLOCATIONS \$ 304,422

The State has allocated funds for Development Disability (DD) Diversion. These funds are used for the purpose of supporting the inpatient unit at Frye Hospital for MR/MI diversion purposes. This amount also includes 13% for overhead allowance for administering the contract.

MENTAL HEALTH FUND BALANCE DECREASE (\$ 1,049)

1) \$30,200 increase - The current CMHC server was purchased in 1997. Data storage is over the recommended level by 15-30 percent. Processing time for reports, backups, and data entry is very slow due to the processor speed. The total cost to replace this server and components is estimated at \$95,000. Realigning existing accounts is paying for \$64,800 of this total. The balance of \$30,200 is funded by fund balance.

2) \$8,751 increase – Additional funding has been approved by the Governor's Crime Commission to provide outpatient treatments for clients that come through the Drug Treatments Courts. The grant requires a 25% local match. Fund balance is being used to fund part of this match.

3) \$40,000 decrease - In September 2003, fund balance was appropriated in the amount of \$40,000 to cover funding for outpatient treatments for clients who come through the Drug Treatment Courts. Additional funding has been secured from the Governor's Crime Commission to cover these expenditures; therefore, fund balance is being reduced.

With this revision a Mental Health Clinician II position will be increased from half time to full-time with 100% funding from Smart Start funds. No new positions are requested and there is no additional County funding included in this revision.

The Finance and Personnel Subcommittee recommended that the Board of Commissioners approve a revision to the Mental Health budget by increasing the current budget by \$350,180 bringing it to \$16,502,037.

SUPPLEMENTAL APPROPRIATIONS

Account Number		Account Number	
Expenditures:		Revenues:	
110 532023 F & C Smart Start		110 532023 F & C Smart Start	
812100 Salaries	17,093	630750	<u>20,558</u>
812301 Optional Wages	960		
821100 FICA	885		
822100 Local Gov't Emp Ret	565		
823610 Basic Life Ins	55		
831005 Office Supplies	200		
841010 Travel	600		
841020 Training & Education	<u>200</u>		
	20,558		
110 530901 General Administration		110 530901 General Administration	
870150 Minor IT Equipment	11,960	691300 County Share	34,800
982000 DP Equipment	<u>83,040</u>	690101 Fund Balance Applied	<u>60,200</u>
	95,000		95,000
110 533001 DD Program Mgt		110 533001 DD Program Mgt	
841505 Telephone	(15,000)	633209 MR/MI	304,422
841510 Postage	(3000)	691300 County Share	<u>(27,000)</u>
842010 Electricity	(9,000)		277,422
911350 MR/MI Services	<u>304,422</u>		
	277,422		
110 537013 GCC Drug Treat Coord		110 537013 GCC Drug Treat Coord	
856900 Other Prof Services	<u>35,000</u>	625104 GCC-Drug Treat Coord	26,249
		690101 Fund Balance Applied	<u>8,751</u>
			35,000
110 530101 The Mental Health Fund		110 530101 The Mental Health Fund	
856900 Other Prof Services	<u>(40,000)</u>	690101 Fund Balance Applied	<u>(40,000)</u>

110 531001 CSP Program Mgt		110 531001 CSP Program Mgt	
841505 Telephone	(18,000)	690101 Fund Balance Applied	<u>(30,000)</u>
842010 Electricity	<u>(12,000)</u>		
	(30,000)		
110 537011 Access		110 537011 Access	
841505 Telephone	(4,800)	691300 County Share	<u>(7,800)</u>
842010 Electricity	<u>(3,000)</u>		
	(7,800)		

e. County Manager Approval to Waive Solid Waste Fees.

During fiscal year 2002-2003 the Board approved the waiver of fees for several events that equated to \$18,621 in waste disposal fees and \$45 in mulch donations. All events are recurring except for the storm debris for all residents. In order to meet existing deadlines for subcommittee, it takes approximately four weeks from the time a request comes in for it to be placed on the board agenda. At times, this does not allow adequate time for staff to meet deadlines. By allowing the County Manager to approve the requests as outlined in this memorandum, staff can expedite the approval process and reduce some of the mundane items that now go to the Board of Commissioners for approval. The Policy and Public Works Subcommittee recommended that the Board of Commissioners amend the County Code of Ordinances, Chapter 2, Section 113 authorizing the County Manager to waive solid waste fees when they are associated with recurring county associated events and/or county owned or associated property.

Ordinance 2003-21

That Chapter 2, Section 113 of the Catawba County Code is hereby amended to read as follows:

Sec. 2-113. Powers and duties.

The county manager is the chief administrator of county government. He is responsible to the board of commissioners for the administration of all departments of county government under the board's general control and has the following powers and duties:

- (1) He shall appoint, suspend or remove all county officers, employees, and agents except those who are elected by the people or whose appointment is otherwise provided by law. The county manager shall make his appointments, suspensions, and removals in accordance with the personnel regulations set forth in chapter 28 of this Code.
- (2) He shall direct and supervise the administration of all county offices, departments, boards, commissions, and agencies under the general control of the board of commissioners, subject to the general direction and control of the board.
- (3) He shall attend all meetings of the board of commissioners and recommend any measures that he considers expedient.
- (4) He shall see that the orders, ordinances, resolutions, and regulations of the board of commissioners are faithfully executed within the county.
- (5) He shall prepare and submit the annual budget and capital program to the board of commissioners.
- (6) He shall annually submit to the board of commissioners and make available to the public a complete report on the finances and administrative activities of the county as of the end of the fiscal year.
- (7) He shall make any other reports that the board of commissioners may require concerning the operations of county offices, departments, boards, commissions, and agencies.
- (8) He shall have the authority to waive solid waste fees when they are associated with recurring county associated events and/or county owned or associated property.

(Code 1995, § 16.03)

This 3rd day of November, 2003.

/s/ Katherine W. Barnes, Chair
Catawba County Board of Commissioner

- f. Contract with City of Morganton for Building Services Plan Review Assistance. (Copy of contract on file in the Office of Utilities and Engineering Director.)

Utilities and Engineering Director Barry Edwards said in July 2003 Catawba County received a request from the City of Morganton for assistance with plan review services. The proposed plan review services will include a review and analysis of the documentation submitted to the City of Morganton by an applicant for a building permit that pertains to the construction of any commercial building within their jurisdiction. At all times these contracted services will be subordinate to the business of Catawba County and will not interfere with the execution of any services performed for citizens of Catawba County, particularly, the time required to review plans for construction projects located within Catawba County. These services, if provided by Catawba County Building Services, are not intended to include a review of any documents for compliance with any City of Morganton Code or Ordinance. Nor shall these services include the issuance of any building permit or any subsequent building inspections, all of which will continue to be provided by the City of Morganton. The County's Chief Building Services Official and Morganton's Chief Building Inspector will establish an informal procedure for submitting requests. This procedure shall describe what the plan documents must include as minimum requirements and how information is to be submitted or transferred from one agency to the other. No trips will be required to the City of Morganton by Catawba County employees for the submittal or transferring of plan review documentation. County Building Services will invoice the City of Morganton at the rate of \$75 per hour plus reimbursements for any incidental expenses incurred by the County for these services in accordance with the Catawba County Building Services fee schedule as approved by the Board each year. The City of Morganton will be invoiced on a monthly basis for any services rendered. The City of Morganton will be expected to pay each invoice within ten (10) days of receiving the invoice. The plan review process should be completed during normal working hours by County staff. In the event of any overtime work, the hourly rate is adequate to cover any costs incurred by the County. The services rendered by Catawba County, its inspectors and employees are an accommodation to the City of Morganton. The services will not be construed as a service being rendered to the citizens of Morganton or to the applicants for a building permit for any particular construction project within the jurisdiction of the City of Morganton. Neither Catawba County, the Catawba County Building Services Division nor its officers and agents shall be liable in any manner whatsoever from negligent errors or omissions in providing these services except for willful or wanton misconduct, acts or omissions. Further, the City of Morganton shall indemnify, protect and save harmless Catawba County, the Catawba County Building Services Division, its officers and employees from any liability whatsoever resulting from the proposed services and shall assume the cost of defending any lawsuit, claim or proceeding arising against Catawba County, Catawba County Building Services Division and/or its employees. The Policy and Public Works Subcommittee recommended that the Board of Commissioners approve a contract with the City of Morganton for Building Services Plan Review assistance and revise the current fee schedule to add Plan Review Contract Services.

CATAWBA COUNTY BUILDING INSPECTION
COMMERCIAL FEE SCHEDULE
PLAN REVIEW

First submittal	No Fee
Second submittal if items are not addressed from first review	\$50.00
Third submittal if items are not addressed from second review	100.00
Fourth submittal if items are not addressed from third review	150.00
Fifth submittal if items are not addressed from fourth review	200.00
<u>Contracted Services</u>	<u>75.00 per hour plus reimbursable expenses</u>

Commissioner Barger made a motion to approve the consent agenda. The motion carried unanimously.

End Consent

9. Departmental Reports:

a. Public Health Department:

1. Architect Selection – Catawba County Dental Facility.

Public Health Director Barry Blick said the Catawba County Dental Practice is currently located within the Health Department in a three-operator suite. The goal of this project is to enlarge the Catawba County Health Department to include a facility that will provide a service site for a Public Health Dental Practice capable of serving a population of 13,000 children who have no access to routine dental health services and care. A *Catawba County Health Department Public Health Dental Practice-Business Plan for Expanding Facility* was prepared by Public Health staff and Walter Robbs Callahan & Pierce, Architects. The product and the scope of the Dental Practice Business Plan is to expand the Health Department building by creating a facility that is well integrated into the rest of the Health Department and can accommodate the space needs of the expanded Public Health Dental Practice.

The expanded facility should accommodate 49 staff members and have a maximum capacity to clinically examine and/or treat 310 patients per day coming from a target population of 13,000 children with: 30 operatories; 7 dentist offices; Office space for remaining staff; Reception area; Medical records and billing space; Waiting rooms; Xray and lab facilities; A multiple purpose conference/classroom/library; Administrative areas; Consultation room; Public and staff restrooms; and Storage Space. The estimated facility size is approximately 17,500 square feet.

Solicitation of an architectural firm is governed by North Carolina General Statute 143-64.31. Local governments are required to (1) announce all requirements for architectural services; (2) select firms qualified to provide such services on the basis of demonstrated competence and qualifications for the type of professional services required, without regard at the preliminary stage to the firm's fee, other than unit price information; and (3) thereafter to negotiate a contract for the architectural services with the best-qualified firm. If a contract cannot be negotiated with that firm, negotiations are to be initiated with the next best-qualified firm. On July 22, 2003, Requests for Qualifications (RFQ) were sent to numerous architectural firms. The RFQ was advertised in the newspaper and posted on the County's WEB site. On August 20, 2003, six qualification statements were received. The Architect Selection Committee consists of Mick Berry, Assistant County Manager; Barry Blick, Public Health Director; Kelly Isenhour, Assistant Health Director; and Debbie Anderson, Purchasing Agent. The committee reviewed the RFQ's and narrowed the list to three for further consideration. The following three remaining firms were invited to make an oral presentation to the Committee:

Walter Robbs Callahan & Piece, Winston-Salem
CBSA Architects, Hickory
Perkins Eastman Architects, Charlotte

Perkins Eastman Architects is the recommended firm for the Catawba County Dental Facility for the following reasons:

- Office located in Charlotte with 13 staff members, and is part of a firm with offices located in New York City, Pittsburg, Stamford, Toronto, San Francisco and Chicago
- Has assembled a good team with impressive skill and experience in dental facilities.
- The design team consists of:
 - Winstead Architecture, Local Architect
 - ColeJenest & Stone, Civil Engineering and Landscape Architecture
 - Taylor & Viola Structural Engineers, Structural Engineering
 - Brittain Engineering, Mechanical, Electrical & Plumbing Engineering
 - Dr. Joesph Steiner, Dental Operations and Indigent Care Consultant
 - Patterson Dental, Dental Equipment Consultant
 - Estimate Technology, Costing, Scheduling & Construction Review
 - Strong knowledge and understanding of the project
 - Included two impressive conceptual designs that were not part of the

- Business Plan prepared by Walter Robbs Callahan & Piece
- Demonstrated enthusiasm for the project and for assisting with fundraising efforts
- Positive references from similar projects

Perkins Eastman Architects made a presentation to the Catawba County Board of Public Health on October 6, 2003. The Board of Public Health voted to endorse the recommendation of Perkins Eastman Architects.

Mr. Blick said the Policy and Public Works Subcommittee recommended that the Board of Commissioners authorize the contracting with Perkins Eastman Architects for the Catawba County Dental Facility Expansion for a fee of 5.8 percent, an estimated cost of \$133,400. Survey and soil testing will need to be conducted in the near future at an estimated cost of \$20,000. The Policy and Public Works Subcommittee further recommended that the Board authorize a supplemental appropriation of \$78,400 (\$133,400 plus \$20,000 less \$75,000 currently appropriated to this project). No local ad valorem tax dollars will be used; money earned through Medicaid revenues and fundraising efforts will fund this project.

Supplemental Appropriations

410-460100-986000-15020	Dental Clinic-Public Health	\$78,400
110-580350-995410	To General Capital Projects Fund	\$78,400
410-460100-695114	From Public Health-Dental Medicaid	\$78,400
110-580350-673636	Dental Medicaid Earned	\$40,155
110-580350-673637	Escrow-Dental Medicaid Maximization	\$38,245

Commissioner Lail made a motion to approve the architect selection of Perkins Eastman at an estimated cost of \$133,400 plus future soil testing of approximately \$20,000 and also approve the aforementioned supplemental appropriations. The motion carried unanimously.

b. Utilities and Engineering Department:

1. Landfill Property Purchase.

Utilities and Engineering Director Barry B. Edwards said the Chu Xiong Family approached the County regarding the sale of their property located near the Blackburn Landfill, and on October 6, 2003, during Closed Session, the Board of Commissioners authorized staff to negotiate with Mr. Xiong for approximately 22 acres, of a larger tract of 58 acres, located on the north side of the stream bordering the Blackburn Landfill property. The property is located at 4918 Hickory-Lincolnton Highway, PIN No. 3617-01-48-9547. There are no structures located on the 22-acre portion of the property. A representative from Martin McGill met with Mr. and Mrs. Xiong and the Offer to Purchase was signed. The purchase price is \$150,000. Earnest money in the amount of \$5,000 was forwarded to County Attorney Robert Oren Eades to be deposited into a trust account until closing, leaving a balance of \$145,000 for the property purchase and \$3,000 for associated fees, such as surveying, title insurance, taxes and recording fees. With a closing date set for November 14, 2003, staff arranged for the property to be surveyed and incorporated into the current landfill tract.

The Master Plan for the Blackburn Landfill establishes the boundaries of the landfill property based on certain parameters related to landfill capacity, regulatory compliance, planned landfill development sequences, and operational considerations. The existing stream that flows across the original Blackburn Landfill property and just south of the old Wilfong and Mauser properties is recognized in the Master Plan as a boundary. The existing stream establishes a natural barrier for potential contamination migration and methane gas migration on the south side of the landfill. It has been the plan of the County to acquire all of the properties between the existing landfill site and the stream in order to extend the compliance boundary of the landfill to the stream, for the distance that the landfill property follows the stream. This is necessary to establish an adequate buffer between the closed MSW Landfill (Unit 1) and the property line (compliance boundary). North Carolina Solid Waste Rules, at the time Unit 1 was constructed, required only a 50-foot buffer between waste placement and the property line, as compared to the current requirement of 300 feet.

The Xiong acreage was scheduled in the Solid Waste Financial Plan (CIP) for acquisition in Fiscal Year 2004-2005. However, due to an evolving circumstance related to Unit 1, the County's engineering and hydrological consultants recommended that the County consider moving the Xiong acquisition forward to the current fiscal year, and staff concurs. Over a period of about five years, the County has purchased several land tracts in the vicinity of the Xiong property. The unit price offered for the Xiong tract is \$6,818 per acre. Staff recommended that this planned acquisition proceed in advance of the schedule established in the CIP. Staff recommended that the Board of Commissioners approve a budget revision in the amount of \$155,000 from the Solid Waste Management Fund to complete the purchase of the Xiong property. The survey was higher than anticipated at a cost \$5,000. Funds to purchase the Xiong property will come from solid waste fees and not property taxes.

Supplemental Appropriation			
525-350150-987000	\$145,000	525-350050-690100	\$155,000
Purchase of Land		Fund Balance Applied	
525-350150-856900	\$ 10,000		
Other Professional Services			
Total	\$155,000	Total	\$155,000

Commissioner Beatty made a motion to approve the purchase of property from the Xiong Family located near the Blackburn Landfill in the amount of \$155,000. The motion carried unanimously.

2. Engineering Services – Southeastern Catawba County Water Supply Loop Phase II.

Utilities and Engineering Director Barry B. Edwards said North Carolina General Statute 143-64.31 governs the solicitation of an engineering firm. Local governments are required to (1) announce all requirements for engineering services; (2) select firms qualified to provide such services on the basis of demonstrated competence and qualifications for the type of professional services required, without regard at the preliminary stage to the firm's fee, other than unit price information; and (3) thereafter to negotiate a contract for the engineering services with the best-qualified firm. If a contract cannot be negotiated with that firm, negotiations are to be initiated with the next best-qualified firm.

On July 17, 2003, Request for Qualifications (RFQ) was sent to numerous engineering firms, the RFQ was advertised in the newspaper and posted on the County's Web site. On August 19, 2003, thirteen qualification statements were received. The Engineering Selection Committee consisting of Utilities & Engineering Director Barry Edwards; Public Services Administrator Jack Chandler; Purchasing Agent Debbie Anderson; Clint Canaday, PE, MCL Engineers; and Gene Haynes, City of Hickory Public Utilities Resource Director reviewed the RFQs. The committee narrowed the list to the following three: (1) McGill Associates; (2) Hayes, Seay, Mattern & Mattern, Inc.; and (3) Camp Dresser & McKee. Since the committee members were familiar with all three firms, staff did not request they make an oral presentation.

McGill Associates was selected as the top-ranking firm for the following reasons:

- Positive past experience
- Have history of producing product in a timely manner
- Local firm that can react quickly to a high profile project
- Expertise in obtaining easements

The estimated cost of the Water Supply Loop Phase II is \$2,890,000. The contract for engineering services with McGill Associates, PA for design, bidding, and bid award is \$147,400, which is 5.1% of the estimated cost of the project well within guidelines found in FHA Projects under \$3,000,000, which is 5.5%. Staff recommended that the Board of Commissioners approve contracting with McGill Associates, PA, of Hickory as the engineering firm for the Southeastern Catawba County Water Supply Loop, Phase II in the amount of \$147,400.

Mr. Lundy said the City of Mooresville will build the waterline connection from Terrell to the river and then turn the lines over to the County.

Mr. Edwards said the City of Newton and the Town of Maiden had questions about the Knowles Subdivision located near Roam Jones Road. The City of Newton is interested in rerouting the lines of which McGill can review. Staff believes the proposed lines are the best route which proposes to serve citizens that are not currently served. Newton and Maiden waterlines cannot carry the pressure and new lines will have to be run. Mr. Edwards said Maiden Town Manager Herman Caulder was present.

Mr. Lundy said the contract before the Board was for engineering services for design options and to find the best route for the line.

Mr. Caulder said the Town of Maiden did not have plans to annex the Knowles and their main issue is the water. They are already tied into west end with Startown line which pushes the water through their system but the lines throughout their system is not sized to carry the water from a 36 inch line to a 12 inch line. The current plan would give Maiden a second option for water. He said Maiden has customers on Prison Camp Road and Newton owns the lines. When Maiden signed a contract with Hickory, Newton told Maiden that line would be severed. Maiden is concerned about duplicating lines and getting the state involved, and he doesn't believe the state will allow the lines to be severed. The County installed the lines on Prison Camp Road with grant money that was turned over to Newton.

After a lengthy discussion, Commissioner Lail made a motion to table action for Engineering Services for the Southeastern Catawba County Water Supply Loop Phase II until representatives from the Board of Commissioners and the County Manager as well as representatives and managers from the City of Newton and the Town of Maiden have had an opportunity to meet and discuss their waterline proposals. The motion carried unanimously.

10. Attorneys' Report. None.

11. Manager's Report.

a. Resolution Approving Year 2004 Meeting Schedule.

County Manager J. Thomas Lundy presented the 2004 meeting schedule. He said there would be a display area of services offered by Catawba County at the four meetings that are scheduled throughout the county allowing citizens an opportunity to review the services.

After a brief discussion and minor changes, Commissioner Barger made a motion to approve the following meeting schedule for Year 2004. The motion carried unanimously.

RESOLUTION NO. 2003-46
Adopting 2004 Board of Commissioners Meeting Schedule

WHEREAS, pursuant to Section 247 of the Catawba County Code, the regular meetings of the Catawba County Board of Commissioners shall be held twice a month on the first and third Mondays at 9:30 a.m. and 7:00 p.m. respectively, except for the second meeting in January will be held on the third Tuesday in January due to the Dr. Martin Luther King, Jr., holiday and the first meeting in September will be held on the first Tuesday in September due to the Labor Day holiday.

NOW, THEREFORE, BE IT RESOLVED that the Catawba County Board of Commissioners adopts the following Meeting Schedule for 2004:

Tuesday, January 20, 2004, 7:00 p.m.

Monday, February 2, 2004, 9:30 a.m. **Location TBA (Sherrills Ford Area)**

Monday, February 16, 2004, 7:00 p.m.

Monday, March 15, 2004, 7:00 p.m.

Monday, April 5, 2004, 9:30 a.m.

Monday, April 19, 2004, 7:00 p.m.

Location: Sherrill Tobacco Company, 100 South Main Street, Catawba, NC

Monday, May 3, 2004, 9:30 a.m.

Monday, May 24, 2004, 8:00 a.m., **Budget hearings**

Thursday, June 3, 2004, 7:00 p.m., **Budget Public Hearing and Wrap-up Session**

Monday, June 7, 2004, 9:30 a.m. **(Adoption of 2004-2005 Budget)**

Monday, June 21, 2004, 7:00 p.m.

Monday, July 12, 2004, 7:00 p.m.

Monday, August 2, 2004, 9:30 a.m.

Monday, August 16, 2004, 7:00 p.m.

Tuesday, September 7, 2004, 9:30 a.m.

Monday, September 20, 2004, 7:00 p.m.

Location: St. Stephens High School, 3205 34th St. Dr. NE, Hickory, NC

Monday, October 4, 2004, 9:30 a.m.

Monday, October 18, 2004, 7:00 p.m.

Monday, November 1, 2004, 9:30 a.m.

Monday, November 15, 2004, 7:00 p.m.

Location: Jacobs Fork Middle School, 3431 Plateau Road, Newton, NC

Monday, December 6, 2004, from 8 - 9:00 a.m., **annual breakfast meeting with the staff of Cooperative Extension Service** at the Agricultural Resources Center

Monday, December 6, 2004, 9:30 a.m.

Monday, December 20, 2004, 7:00 p.m.

This the 3rd day of November, 2003.

/s/ Katherine W. Barnes, Chair
County Board of Catawba Commissioners

12. Other items of business. None.

13. Adjournment.

At 11:15 a.m., there being no further business to come before the Board, Commissioner Hunsucker made a motion to adjourn. The motion carried unanimously.

Katherine W. Barnes
Chair, Board of Commissioners

Thelda B. Rhoney
County Clerk